

FINDING OF NO SIGNIFICANT IMPACT & DECISION RECORD

Reno Air Races Temporary Land Closure

DOI-BLM-NV-C020-2016-0012-EA

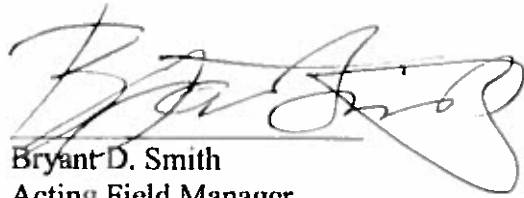
U.S. Department of the Interior
Bureau of Land Management
Carson City District
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701
775-885-6000

February 2016



Finding of No Significant Impact

Based on the analysis of potential environmental impacts contained in the Final Environmental Assessment (EA), and considering the significance criteria found in 40 CFR 1508.27, I have determined that the Proposed Action, will not have a significant effect on the human environment. An environmental impact statement (EIS) is not required.



Bryant D. Smith
Acting Field Manager
Sierra Front Field Office


Date

Decision Record

Introduction

The Reno Air Racing Association Committee has requested a temporary closure of public lands during scheduled Reno Air Racing Association Pylon Racing Seminar and Reno National Championship Air Races both held annually on private land north of the Reno-Stead Airport. Annual closures of the public land managed by the Bureau of Land Management (BLM) during the scheduled racing events have taken place at the request of the Reno Air Racing Association Committee since 1990.

Public Involvement

This project has a long history of public support as it is a major economic gain to Reno and Sparks community. The BLM has been enacting this temporary closure for public safety since 1990; therefore, the project not considered controversial.

Land Use Conformance

The Proposed Action is in compliance with the Carson City Field Office Consolidated Resource Management Plan (2001). The applicable sections includes:

SOP-1: "An environmental review (i.e. environmental assessment) will be prepared before projects are developed except when they are covered by categorical exclusion or previous analysis deemed adequately through a determination of NEPA adequacy (DNA) so that implementation, modification, or abandonment of the project may be considered depending on identified impacts."

SOP-22: "Authorized public land users will prevent or control damage to scenic, aesthetic, cultural, and environmental values (including damage to fish and wildlife habitat), damage to federal property and hazards to public health and safety."

The Proposed Action is also in conformance with the *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment* (ARMPA) (BLM 2015). The Project Area includes designated as Other Habitat Management Area (OHMA) and General Habitat Management Area (GHMA) for the greater sage-grouse (*Centrocercus urophasianus*).

Projects in OHMA require the implementation of required design features (RDF's), if applicable to the Project. The Proposed Action is administrative in nature only, no RDF's apply to the issuance of a temporary closure of public lands. Projects in GHMA require that the Project not have a direct or indirect effects to greater sage-grouse. The Proposed Action is administrative in nature and would not cause surface or noise disturbances to greater sage-grouse. The nearest U.S. Geological Survey telemetry for the greater sage-grouse is approximately 15 miles east of the Project Area. The habitat in the Project Area is unoccupied, is surrounded by urban development, and as is not located in a migration corridor for the greater sage-grouse.

The use of the air space above the public lands in the Project Area is regulated by the Federal Aviation Administration; the ARMPA does not apply to the air space above public lands.

The Proposed Action would be in compliance with the *Carson City District Draft Resource Management Plan and Environmental Impact Statement* proposed in November 2014. Public Health and Safety (Table 2-2):

- #660 “Provide for public health and safety, especially in areas of concern, in development sites, and areas of concentrated use.”
- #661 “Implement a total public closure during the Reno Air Races (generally 4 days in mid-June and 7 days in mid-September, exact dates depend on event schedule).”

The No Action Alternative would not be in conformance with the ARMPA, therefore the Proposed Action could not be implemented as all actions require conformance with the existing land use plan.

Authority

The authority to grant the Proposed Action is under the authority of Title V of the Federal Land Policy and Management Act of 1976 (FLPMA) and the regulations at 43 CFR 2800.

Rationale

Proposed Action (Selected Alternative)

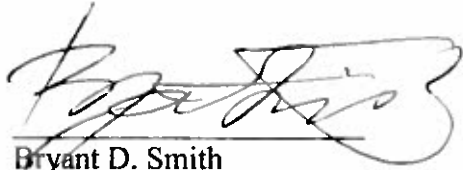
Under the Proposed Action, the BLM would temporarily close certain public land adjacent to the seminar and racing site to public entry for the duration of scheduled events. After the scheduled events, all public land closures would be lifted and no longer in place. The BLM may consider expanding the closure area to encompass more public land adjacent to the seminar and racing site may occur over the 10-year period to allow BLM to more effectively manage the affected lands during the annual scheduled events. The Proposed Action would have beneficial impacts public health and safety because it would help prevent potential harm to the public from aircraft flyovers during the events.

No Action Alternative

Under the No Action Alternative, the BLM would not implement a temporary land closure and the public could continue to enter the Project Area during scheduled events. Implementation of the No Action Alternative would pose an increased safety risk to the general public during the race events, an negligible effect. The BLM would not be able to implement any temporary land use closure under the 2009 EA because it does not conform to the land use plan, which was amended by the ARMPA on September 21, 2015.

Decision

It is my Decision to authorize a temporary land use closure and to publish the 2016 scheduled dates and appropriate legal description in the *Federal Register*. It is my Decision that the analysis in this EA is sufficient to issue annual *Federal Register* notices over the next 10-years. If, in subsequent years, the BLM determines that it is necessary to expand the temporary closure area, the BLM would publish that information and subsequent legal description in the *Federal Register* and in local media.



Bryant D. Smith
Acting Field Manager
Sierra Front Field Office

2/22/2016
Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Bryant D. Smith
Acting Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.